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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,816	06/12/2001	Richard S. Bice	01-40110-US	4295

25537 7590 10/13/2004
MCI, INC
TECHNOLOGY LAW DEPARTMENT
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EXAMINER

AVELLINO, JOSEPH E

ART UNIT PAPER NUMBER

2143

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,816

Applicant(s)

BICE ET AL.

Examiner

Joseph E. Avellino

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-33 are pending in this examination; claims 1, 13, and 23 are independent.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-8, 10-15, 17-28, and 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al. (USPN 6,631,363) (hereinafter Brown).

3. Referring to claim 1, Brown discloses a network-based automated message handling system for initiating responses to messages transmitted through the network by application components (e.g. abstract), said system comprising:

at least one customer-defined message handling rule (Figure 5, 60);

a message-handler, said message handler comprising a message receiver, a message resolver, a rule applier, and a message generator, wherein said message receiver receives messages from application components, wherein said resolver

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determines whether application of said at least one customer-defined message handling rule is indicated by the contents of a message, wherein said rule applier determines whether said at least one customer-defined rule should be applied to the contents of a received message, and wherein said message generator generates new messages to recipients identified by said customer-defined message handling rule when application of said customer-defined message handling rule is indicated by the contents of the message (Figures 1, 2, and 4-6B; col. 3, lines 4-25).

4. Referring to claim 3, Brown discloses comprising a customer-interface portal, said portal providing an interface for a customer to express customer-defined rules (Brown discloses that the user has the ability to define customer defined rules, however does not expressly state that a customer-interface portal was used, however it would be inherent to the system of Brown that a customer-interface portal was used since there would be no other way for a user to define rules to the system) (col. 5, lines 18-27).

5. Referring to claim 4, Brown discloses said portal interface for allowing a customer to define customer-defined rules allows a customer to express identifying messages for which the contents of the message should be automatically forwarded to at least one desired recipient (Figure 4; col. 3, lines 18-25).

6. Referring to claims 5-7, Brown discloses allowing the customer to identify a delivery method for messages, wherein one of the available delivery methods is a pager

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notification method, an email notification, or a message posted to an internet address (since an email address is technically considered an internet address, since it distinctively identifies an account on the Internet, the cited portions related to an email notification also applies to claim 7) (col. 5, line 55 to col. 6, line 9).

7. Referring to claim 8, Brown discloses allowing a customer to express without prompting at least one desired recipient (i.e. the user is considered the recipient of the message) (col. 5, lines 18-27).

8. Referring to claims 10-12, Brown discloses comprising at least one service-based rule and at least one common rule and wherein the rules are identified by the contents of a received message (col. 3, lines 18-60).

9. Claims 13-15, 17-28, and 31-33 are rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 2, 16, and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Teegan et al. (USPN 6,748,555) (hereinafter Teegan).

11. Referring to claim 2, Brown discloses the invention substantively as described in claim 1. Brown does not specifically disclose notifying a software developer when a software fault is indicated by the contents of a message. In analogous art, Teegan discloses another network based automated message handling system wherein the system notifies a software developer when a software fault is indicated by the contents of a message (col. 16, lines 6-14). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Teegan with Brown since Brown discloses that the event notification system can "also work with applications which do not generate such events, and is adaptable to nearly any type of computer application" (col. 2, lines 35-38). This would lead one of ordinary skill in the art to search analogous art which would yield the system disclosed in Teegan. By this rationale, it would be obvious to combine these references.

12. Claims 16, and 29-30 are rejected for similar reasons as stated above.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown in view of Escolar (USPN 5,926,100).

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13. Brown discloses the invention substantively as described in claim 4. Brown does not specifically disclose comprising a contacts list tool identifying entities associated with a hosted application. In analogous art, Escolar discloses another network-based automated message handling system wherein a contacts list tool identifying entities associated with a hosted application (Figure 3, 48). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Escolar with Brown since Brown discloses that the event notification system can "also work with applications which do not generate such events, and is adaptable to nearly any type of computer application" (col. 2, lines 35-38). This would lead one of ordinary skill in the art to search analogous art which would yield the system disclosed in Escolar. By this rationale, it would be obvious to combine these references.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

15. Wagner (USPN 6,092,102) discloses notifying users about information or events of an enterprise.

16. Tentij et al. (USPN 6,513,129) discloses managing faults using a gateway.

17. Larson et al. (US 2003/0069848) discloses a user interface for computer network management.

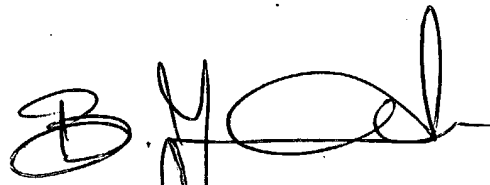
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (703) 305-7855. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (703) 308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEA
September 29, 2004



BUNJOB JAROENCHONWANT
PRIMARY EXAMINER